

REMARKS

The application has been reviewed in light of the Office Action mailed on May 1, 2008. Claims 28-45 have been cancelled without prejudice. New claims 46-48 have been added without adding new matter, and are now the only claims pending in the application.

Claims 28, 29, 31-34, 36-38, 40/37, 40/38, 41-43 and 45 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Cato et al., U.S. Patent No. 5,539,394 ("Cato"). Claims 30, 35, 39, 40/39 and 44 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Cato in view of Muhme (U.S. Pat. No. 5,886,634) ("Muhme").

Applicant disagrees with the rejections of claims 28-45 based at least on the reasons discussed in the Amendment filed on March 6, 2008. Claims 28-45 have been cancelled, however, solely to advance prosecution of new claims 46-48. Claims 28-45 are being cancelled without prejudice or disclaimer, and Applicant reserves the right to pursue the cancelled claims in other applications.

New claims 46-48 relate to an article management system. Independent claim 46 recites a "first interrogator, configured to assign, to the noncontact electronic tag, information indicative of whether or not the article is permitted to pass through a passage section leading from the management area as a part of the tag data." Claim 46 also recites a "second interrogator, communicatively connected to the first interrogator, and configured to communicate with the noncontact electronic tag attached to the article passing through the passage section."


The specification discloses, for example, a first interrogator, element 70, and a second interrogator, element 10, communicatively connected to the first interrogator. See pages 15-16 and Figure 1 of the specification, for example. The claims are not limited to the disclosed embodiments.

New claim 46 is allowable over the cited references. For example, Cato fails to teach or suggest a “first interrogator” that is “communicatively connected” to a “second interrogator,” as recited in claim 46. Muhme fails to remedy Cato’s deficiency. Claims 47 and 48 depend from claim 46 and are allowable for at least the same reasons, and also because the combinations recited therein distinguish over the prior art.

In view of the above amendments and remarks, Applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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